

IN THE UNITED STATES DISTRICT COURT FOR  
THE WESTERN DISTRICT OF OKLAHOMA

|                                  |   |                   |
|----------------------------------|---|-------------------|
| TEDDY JOHNSON,                   | ) |                   |
|                                  | ) |                   |
| Plaintiff,                       | ) |                   |
|                                  | ) |                   |
| vs.                              | ) | No. CIV-15-1268-W |
|                                  | ) |                   |
| CAROLYN COLVIN, Acting           | ) |                   |
| Commissioner of Social Security, | ) |                   |
|                                  | ) |                   |
| Defendant.                       | ) |                   |

**ORDER**

On November 18, 2015, United States Magistrate Judge Gary M. Purcell issued a Report and Recommendation in this matter and recommended that the Application to Proceed in District Court Without Prepaying Fees or Costs filed by plaintiff Teddy Johnson be denied and that Johnson be ordered to pay the filing fee in full for this action to proceed. Johnson was advised of right to object, see Doc. 4 at 2, and the matter now comes before the Court on Johnson's Objection to the Magistrate's Report and Recommendation. See Doc. 5

After consideration of Johnson's monthly income, see Doc. 2 at 1, ¶ 3, the funds in his checking account, see id. at 2, ¶ 4, and his regular monthly expenses, see id. ¶ 6, and in the absence of any authority cited by Johnson in support of his objection, the Court concurs with Magistrate Judge Purcell's finding that Johnson has sufficient financial resources to pay the filing fee and therefore should not be permitted to proceed without prepayment of that fee.

Accordingly, the Court


(1) ADOPTS the Report and Recommendation [Doc. 4] filed on November 18, 2015;

(2) DENIES Johnson's Application to Proceed in District Court Without Prepaying Fees or Costs [Doc. 2] filed on November 16, 2015;

(3) ORDERS Johnson to pay the filing fee of \$400.00 in its entirety to the Clerk of the Court on or before December 30, 2015; and

(4) ADVISES Johnson that his failure to pay the filing fee in full by such date will result in dismissal of this action without prejudice.

ENTERED this 9<sup>th</sup> day of December, 2015.

  
LEE R. WEST  
UNITED STATES DISTRICT JUDGE